

3.13 Cultural Resources

Historic property is defined as any district, site, building, structure or object eligible for the National Register of Historic Places (National Register). Eligibility for the National Register requires a property to meet at least one of four broad historic criteria and have integrity of location, design, setting, materials, workmanship, feeling and association.

The National Historic Preservation Act of 1966 (NHPA) and National Environmental Policy Act of 1969 (NEPA) regulate actions affecting historic property (16 USC 470; 42 USC 4321-4347).

Section 106 of the NHPA, Protection of Historic Properties, requires Federal agencies to consider how proposed actions could affect historic properties (16 USC 470f). NHPA also establishes the Advisory Council on Historic Preservation (ACHP) to: 1) advise the President and Congress on historic preservation matters, 2) coordinate Federal historic preservation activities, 3) comment on Federal actions affecting properties listed on or eligible for the National Register (ACHP 2002).

Other Federal laws protect specific kinds of cultural resources within a project's area of potential effects (APE). These include:

- Archaeological and Historic Preservation Act of 1974 (AHPA) (16 USC 469)
- American Indian Religious Freedom Act of 1978 (AIRFA) (42 USC 1996)
- Archaeological Resources Protection Act of 1979 (ARPA) (16 USC 470aa et seq.)
- Native American Graves Protection and Repatriation Act of 1990 (NAGPRA) (25 USC 3001 et seq.)

The APE is defined as those areas where construction or other ground-disturbing activity would take place. This includes the areas coterminous with the proposed rail connections, siding extensions, and double track.

What is the APE?

From the National Historic Preservation Act, the Area of Potential Effects (APE) is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties, if such properties exist. The APE is influenced by the scale and nature of the undertaking and may be different for different kinds of effects caused by the undertaking.

3.13.1 Review Process

SEA sent NEPA scoping letters dated December 21, 2007, to State Historic Preservation Officers (SHPOs) of Illinois and Indiana. SEA received response letters from both agencies in January 2008.

In a letter dated January 17, 2008, the Indiana SHPO stated they needed more information before completing an evaluation of the proposed project. The Indiana SHPO provided a detailed list of requested information pursuant to NHPA Section 106 and its implementing regulations.

In a letter dated January 24, 2008, the Illinois SHPO stated that before they could review the proposed project, the following additional documentation should be submitted to their Agency: map showing geographical location of all construction activities, clearly labeled with type of activity. The letter stated the Illinois SHPO's comments were required by Section 106 of the NHPA and its implementing regulations.

SEA contacted the Illinois and Indiana SHPOs in writing on April 15, 2008, to inform them that the construction activity would be subject to review under the Section 106 process. SEA established the proposed construction areas as the APE for historic property.

Letters were sent in April and May 2008 to the following eight Native American tribal organizations formally inviting them to participate as consulting parties in the Section 106 review process:

1) Kickapoo Tribe of Oklahoma, 2) Kickapoo Tribe of Kansas, 3) Prairie Band of Potawatomi Nation, 4) Hannahville Indian Community Council, 5) Forest County Potawatomi Community of Wisconsin, 6) Citizen Potawatomi Nation, 7) Miami Nation of Indians of the State of Indiana, and 8) Miami Tribe of Oklahoma. In an email dated June 5, 2008, the Prairie Band of Potawatomi Nation informed SEA that it “was unaware of any historical cultural resources in the proposed development sites” but requested they be immediately notified if any “inadvertent discoveries [are] uncovered” during the project.

In a letter dated May 6, 2008, the Illinois SHPO indicated that “the project area had not been surveyed and may contain prehistoric/historic archaeological resources” and requested that a Phase I archaeological reconnaissance be conducted and that the area of survey include “all area(s) that will be developed as a result of” the federal agency (i.e., STB) approval.

SEA met with the Indiana SHPO on May 28, 2008, and the Illinois SHPO on May 29, 2008, and discussed the proposed undertaking, associated APE, and SEA’s progress on its cultural resource investigations. In addition to the archaeological-historical survey reports of the project APE, the Indiana SHPO requested SEA furnish descriptions and photographs of buildings and streetscapes adjacent to two of the proposed rail connections (Griffith and Kirk Yard). Similarly, the Illinois SHPO requested aerial photographs and project limits in the vicinity of the Barrington Historic District.

3.13.2 Historical Context

The archaeology and history of the greater Chicago area is rich and diverse and spans over 12,000 years (Bluhm 1961; Keene 1989; Markman 1991). Published reports and cultural heritage databases indicate that archaeological sites from all known prehistoric and historical cultural periods potentially occur in the general vicinity of the project.¹ Possible site types include prehistoric habitation, mortuary/ceremonial, and resource extraction/processing sites; historic habitation, industrial, and commercial sites, and railroad lines and railroad buildings/structures. The role of railroads in the growth and development of the project area cannot be overemphasized. Historical predecessors of the five subdivisions of CN were established between 1852 and 1888, and the EJ&E line was established in 1890 (Conzen 2005).²

Figure 3.13-1, below, shows the pattern of railroads in the Chicago area as it appeared in 1950, during the peak of railroading. Given the project setting, historical railroad-related structures (e.g., bridges, depots, signal towers, watchman shanties, repair shops, roundhouses, and embankments) are/were the most common types of historical resources in the study area.

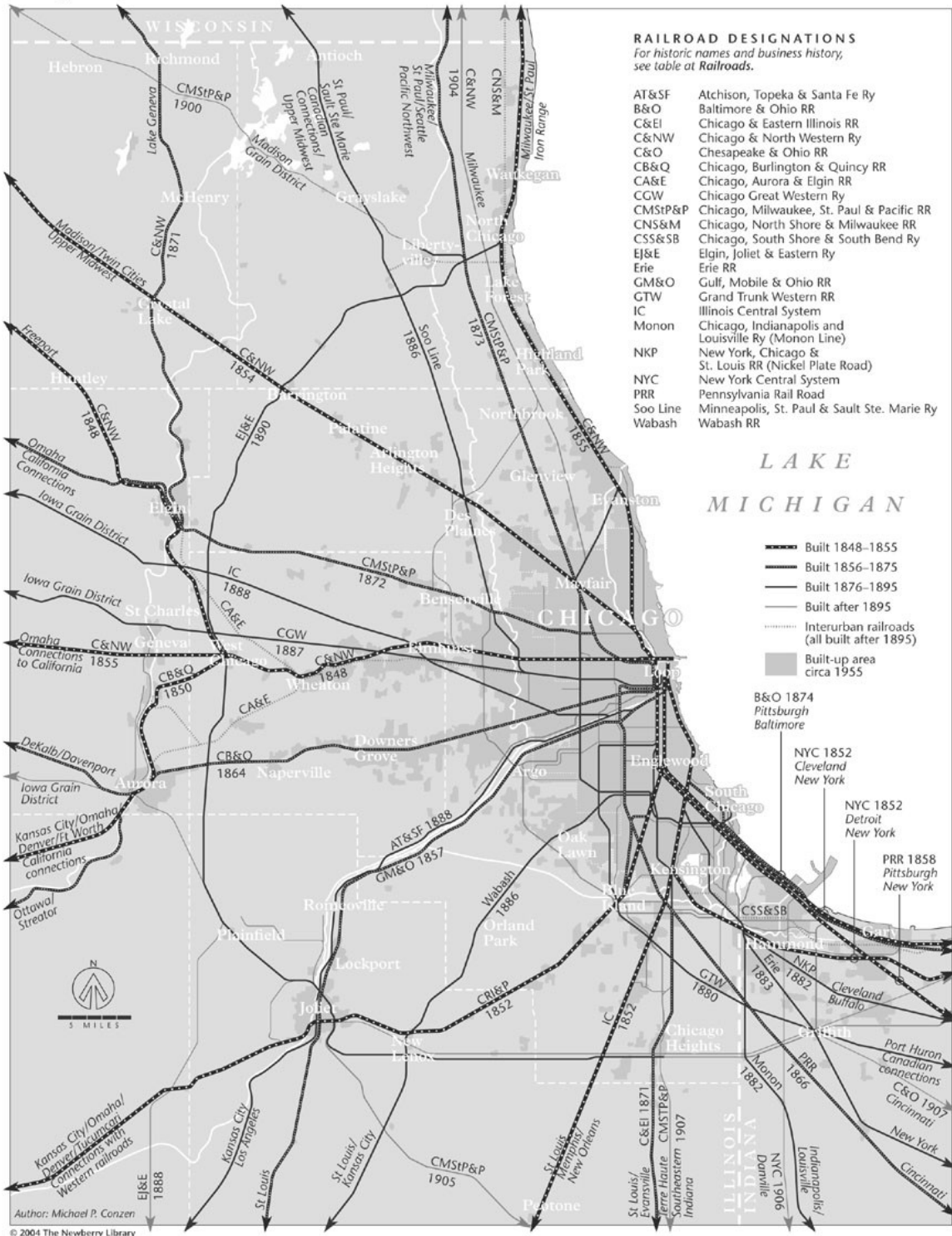
3.13.3 Historic Districts and Properties Identified

The project APE does not contain any known or suspected AIRFA or NAGPRA resources. ARPA only applies to archaeological resources on public and/or tribal land, none of which are known to exist within the project APE. Finally, AHPA resources are typically addressed through NHPA and/or ARPA compliance, depending on the resource.

¹ This would include the Native American sites dating to the Paleo-Indian, Archaic, Woodland, and Upper Mississippian, and protohistoric periods, and Euro-American sites dating to the Frontier, Post-1830, Early Industry, Pre-1890, Post-War, Urban Industry, and early 20th century periods.

² The Waukesha, Freeport, Joliet, Chicago, and Elston subdivisions have their roots in the Soo Line (established in 1886), Illinois Central (1888), Gulf, Mobile & Ohio (1857), Illinois Central (1852), and Grand Trunk Western (1880), respectively.

Figure 3.13-1. Chicago Railroad Pattern in 1950



(Reproduced by permission of the Newberry Library, Chicago)

According to the cultural resource inventories maintained by the States of Illinois and Indiana³, one National Register-listed property and two National Register-eligible historic properties are located within or adjacent to the project APE associated with the proposed Joliet Rail Connection. The “Bridge over Deep Run Creek and RR Carrying 16th Street” (constructed in 1907) falls within the project APE.⁴ The Illinois Department of Transportation (IDOT) formally determined this steel truss deck bridge as National Register eligible. The I&M Canal (constructed between 1836 and 1848) is adjacent to the project APE. The Canal was listed on the National Register in 1966 and was designated the first National Heritage Corridor by the US Congress in 1984. The EJ&E bridge over IL 171, a steel girder deck bridge constructed in 1918, also abuts the project APE.⁵ IDOT formally determined this steel deck girder bridge as National Register eligible.

A response submitted by a private citizen during the NEPA scoping process informed the STB of the presence of “Historic Old Matteson” in Matteson, Illinois. The proposed project would include construction activity within this area.

SEA conducted surveys of historic buildings and structures within areas of proposed construction activity in April and May 2008 and confirmed the location of the historic canal listed on the National Register and two National Register-eligible historic bridge structures in the project APE, all three of which are discussed above. SEA also conducted an archaeological survey of the project APE and identified no archaeological sites in the APE. Appendix O, Cultural Resources Survey, includes the inventory and evaluation reports for the project APE.

³ For the State of Illinois, the Historic Architectural and Archaeology Resources Geographic Information System (HAARGIS), the Illinois Archaeological Survey Site files (housed at the Illinois State Museum), and the National Register of Historic Places website database were consulted. For the State of Indiana, the Indiana State Historic Architectural and Archaeological Research Database (SHAARD) and the National Register of Historic Places were consulted.

⁴ This bridge is listed as Structure 099-3149 in IDOT’s Historic Bridge Survey (IDOT 2004).

⁵ This bridge is listed as Structure 099-0224 in IDOT’s Historic Bridge Survey (IDOT 2004).